REMARKS

In the most recent Office Action dated September 12, 2003, the Examiner rejects claims 1-20 under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,764,972 to Crouse et al. ("Crouse").

The Applicants amend the specification and drawings to correct minor errors. The Applicants also amend claim 3 to correct an informality noted by the Examiner in the Office Action. No new matter has been added. For at least the reasons set forth below, the Applicants respectfully assert that the pending claims are patentable over the prior art of record and request their allowance.

Crouse generally discusses an archiving file system ("AFS") specifically designed to support the storage of, and access to, remote files stored on network data servers. [Col. 4, lines 22-25] Files are archived across secondary storage media on the network data servers based on a set of hierarchically selectable archival attributes that are selectively assigned to each remote file. [Col. 4, lines 25-29]

In Crouse, an AFS control program migrates remote files from online storage to archival media for backup and data security purposes at site-defined time intervals or by direct operator intervention in accordance with a file migration attribute. [Col. 15, lines 18-24] The system contains an archiving file structure for logically storing the remote files on secondary storage devices and an AFS control program that controls the access to the remote files stored according to the archiving file structure. [Col. 4, lines 42-47] A request table tracks all removable media that can be accessed by the system for storing and retrieving files. [Col. 17, lines 48-52] The AFS control program also uses a removable media resource file to track storage

of and access paths to remote files on these removable media and thus allows these remote files to be integrated into the system's file tree structure. [Col. 19, lines 37-44] If access to a remote file is requested, the system uses the removable media resource file in conjunction with the request table to locate and mount the indicated removable media storing the requested file as necessary. [Col. 19, line 38 – Col. 20, line 39]

Thus, unlike Applicant's claim 1, while Crouse discusses migrating files to remote file servers and mounting removable media to access files stored remotely, Crouse does not contain any teaching or suggestion of exporting removable media in a library according to a schedule. Further, Crouse does not contain any teaching or suggestion of receiving export identification data identifying one or more media to be exported from a library.

The system in Crouse is concerned with migration and retrieval at the file level. To the extent that removable media is discussed, the discussion is ancillary at best to further describe actions being taken with respect to files. For example, Crouse does contains a migration attribute, but only with respect to files and migrating them to removable media. The attribute is associated with the files, not the media. As another example, Crouse does discuss removing media from a library, but only in the context of removing a mounted piece of media in order to mount in its place another piece of media containing a requested file as specified by the removable media resource file and the request table. Nowhere does Crouse address exporting media according to a schedule, export characteristics, etc. The system in Crouse is only directed to logical entities, such as files and files structures, and not to physical entities, such as pieces of removable media.

Thus, Crouse does not disclose or suggest, as set forth in Applicants' claim 1, a method for exporting media in a library according to a schedule, comprising: at a first time, receiving export identification data comprising first data identifying one or more media from the library to be exported and second data identifying a second time at which the one or more media is scheduled to be exported; storing the export identification data in a data file; and at the second time, using the stored export identification data to select the one or more media to be exported to export the selected media from the library. For at least the above reasons, claim 1 is patentable over the cited art.

Thus, Crouse does not disclose or suggest, as set forth in Applicants' claim 12, an administrative system for scheduling an export of one or more media from a library, the system comprising: a user interface for receiving, at a first time, export identification data comprising first data identifying one or more media from the library to be exported and second data identifying a second time at which the identified one or more media is scheduled to be exported; a data file stored in a memory device for storing the export identification data; and a task control subsystem for retrieving the export identification data at the second time from the data file and controlling the library to cause the export of the media identified by the media identification data. For at least the above reasons, claim 12 is patentable over the cited art.

Thus, Crouse does not disclose or suggest, as set forth in Applicants' claim 18, a data structure stored on a computer readable medium comprising first data identifying one or more media from a media library and second data identifying a time at which the identified one or more media are scheduled to be exported from the library, the data structure being accessed by a task control application program at the second time to determine which one or more media are

scheduled to be exported at the second time and to send a control signal to the media library to initiate export of the identified one or more media. For at least the above reasons, claim 18 is patentable over the cited art.

The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over Crouse and the other prior art of record. However, given the applicants' position on the patentability of the independent claims, it is not deemed necessary at this point to delineate such distinctions.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the applicants' undersigned representative to discuss any issues relating to this application.

Respectfully submitted,

Dated: March 12, 2004

I hereby certify that the correspondence attached herewith is being transmitted by first class mail to the Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450:

March 12, 2004
Pristine Johannessen Date
Reg. No. 55,302

Pristine Johannessen
Reg. No. 55,302
BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP
900 Third Avenue
New York, New York 10022
(212) 895-2000

OIPE JC10 MAR 17 2004 PATENT & TRADEMARK OFFICE

ANNOTATED SHEET SHOWING CHANGES

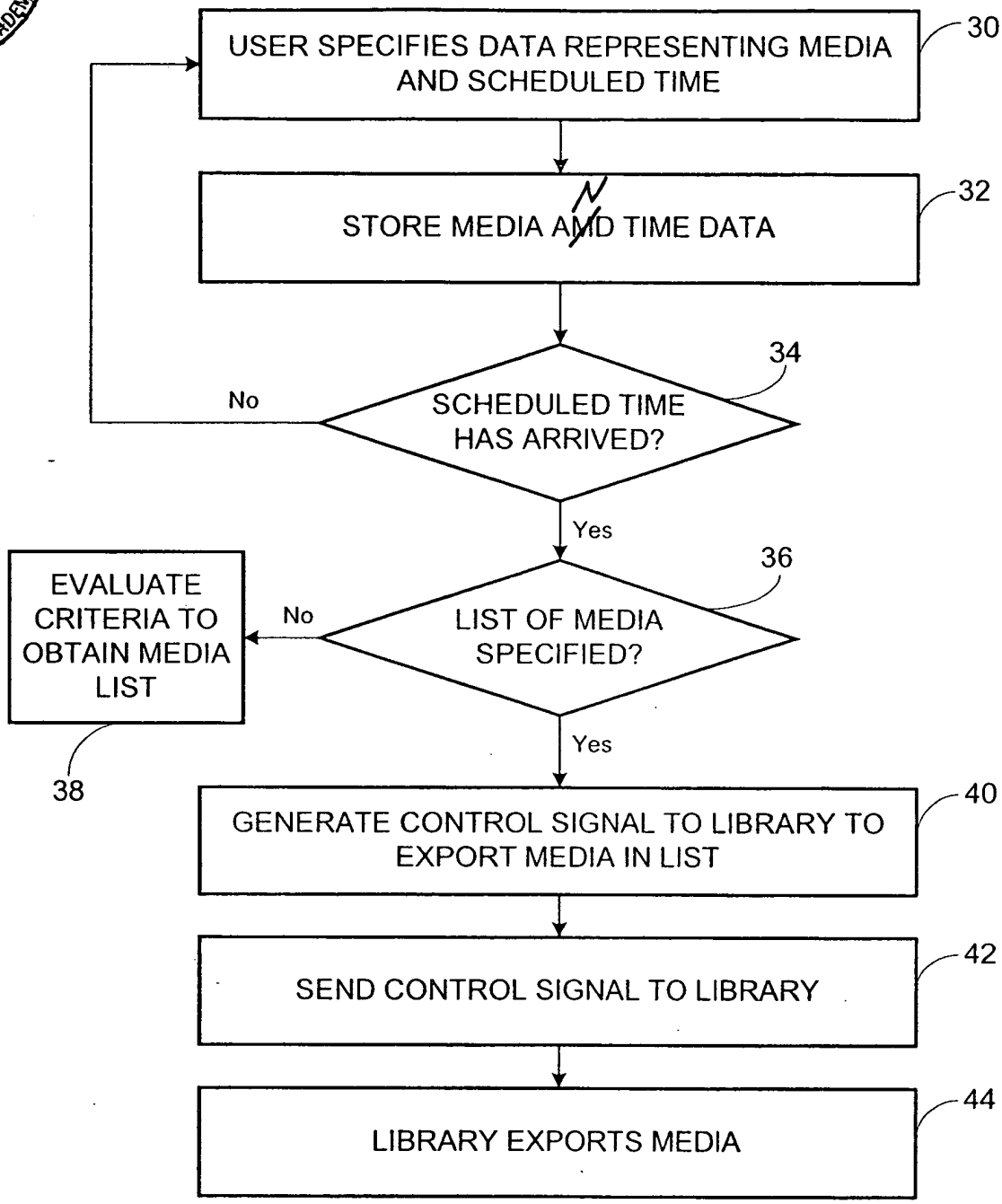



FIG. 2

OIPE JC10 3C
MAR 17 2004
PATENT & TRADEMARK OFFICE



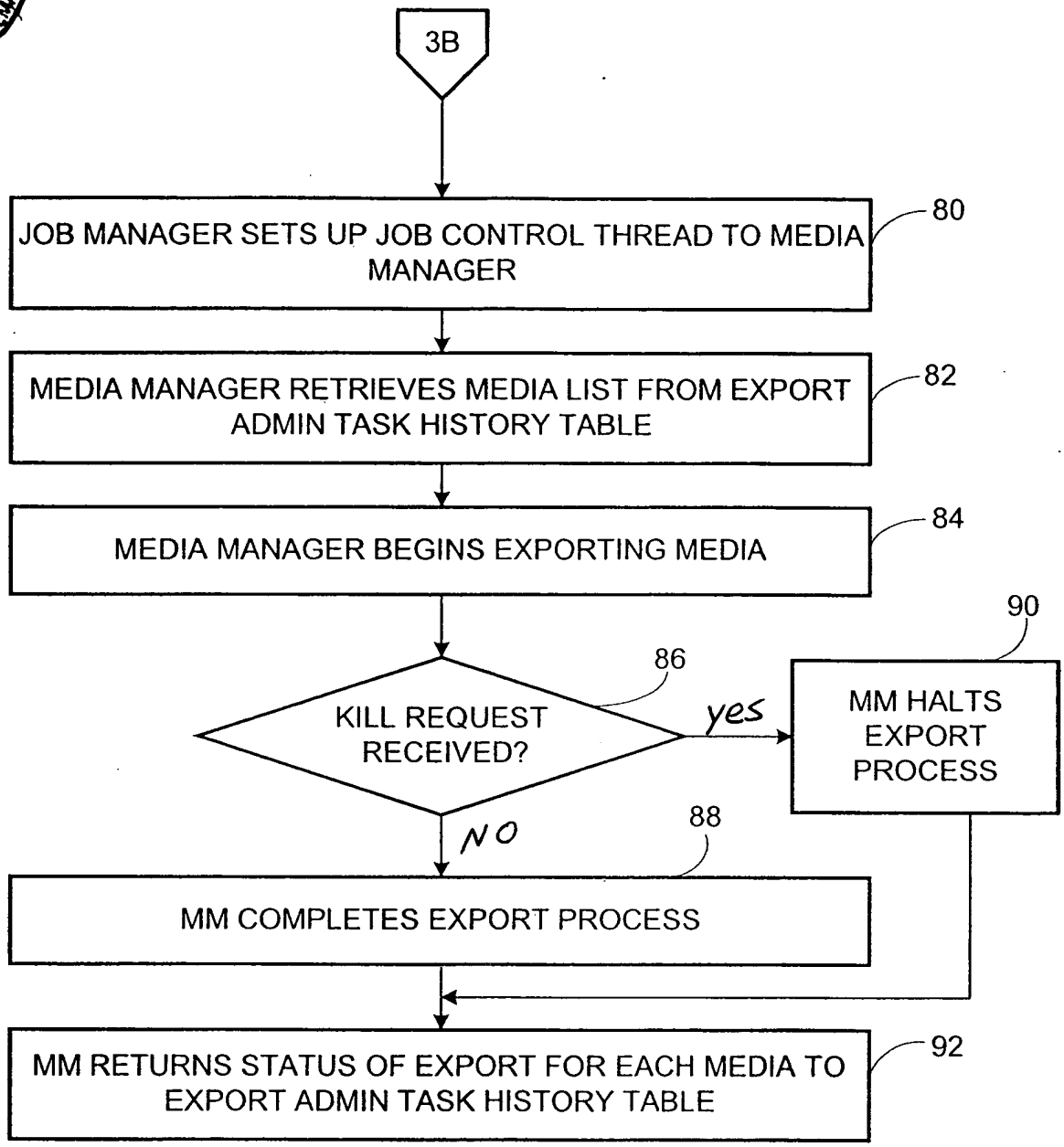
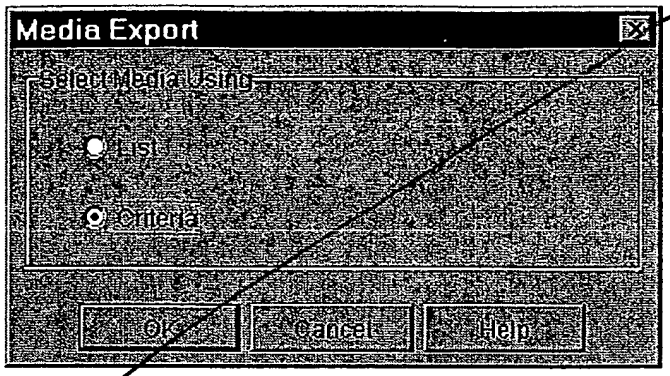



FIG. 3B

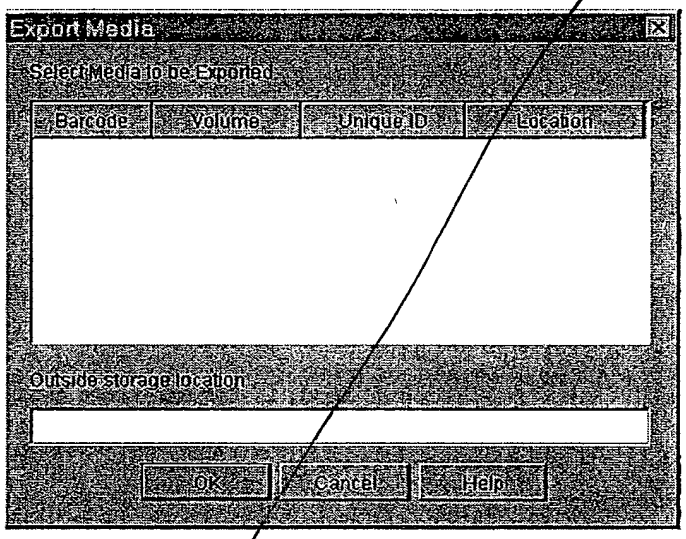
OIPE JC10
MAR 17 2004
PATENT & TRADEMARK OFFICE

ANNOTATED SHEET SHOWING CHANGES




new replacement figure submitted

FIG. 4

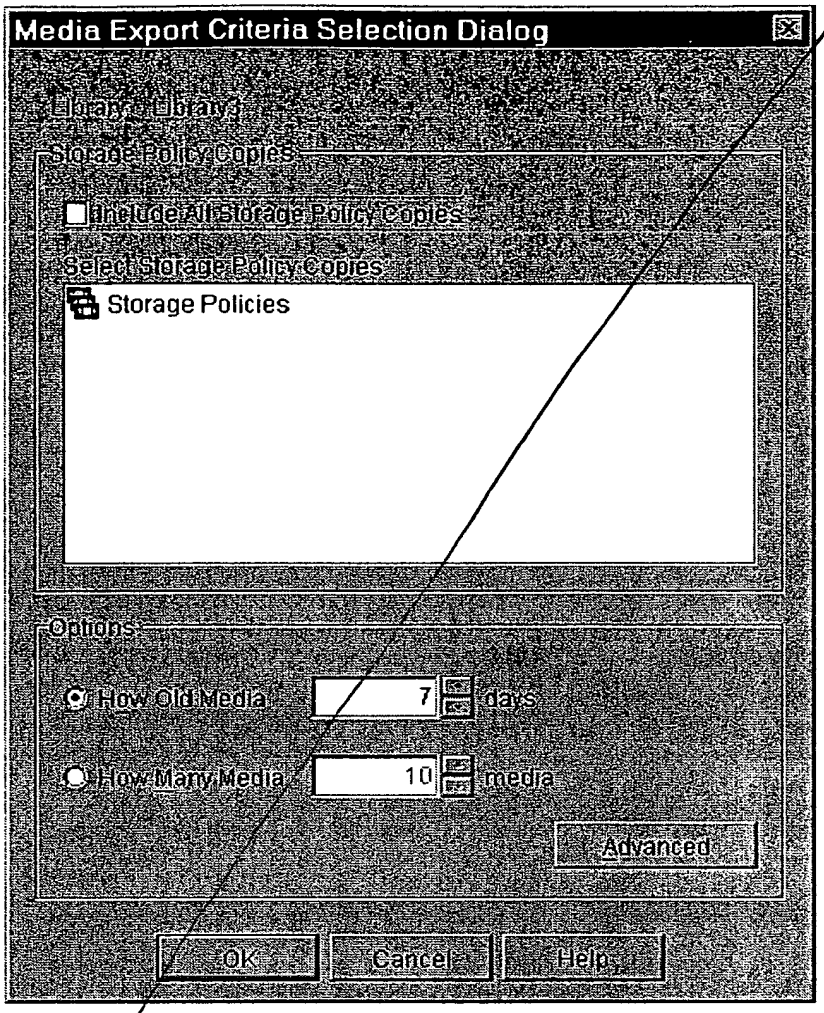



new replacement Figure Submitted

FIG. 5

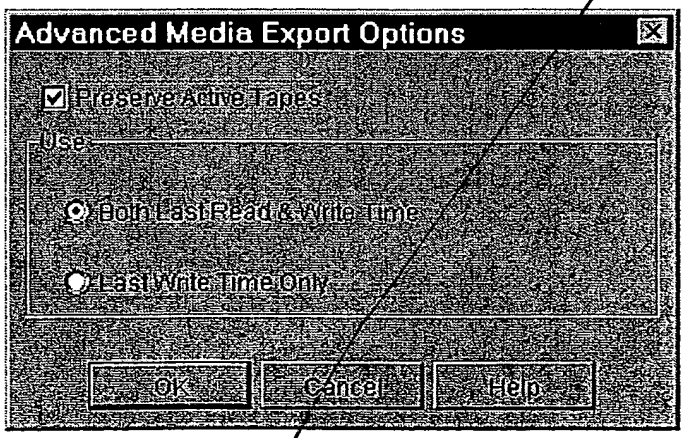
OIPE JC16 MAR 17 2004 PATENT & TRADEMARK OFFICE

ANNOTATED SHEET SHOWING CHANGES




new replacement Figure submitted

FIG. 6




new replacement Figure submitted

FIG. 7